

Commonwealth of Massachusetts

Executive Office of Environmental Affairs ■ MEPA Office

ENF

Environmental Notification Form

<i>For Office Use Only Executive Office of Environmental Affairs</i>
EOEA No.: <u>14621</u>
MEPA Analyst: <u>Holly Johnson</u>
Phone: 617-626- <u>1023</u>

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Victoria Marina Dredging		
Street: 10 Harbor Street		
Municipality: Danvers	Watershed: North Coastal	
Universal Transverse Mercator Coordinates: 19 342285 E 4713111N	Latitude: 42° 33' 23" N Longitude: 70° 55' 19" W	
Estimated commencement date: Nov. 2007	Estimated completion date: Phase I: Feb. 2008; Phase II: Feb. 2009	
Approximate cost: \$57,000	Status of project design:	80 %complete
Proponent: Victoria Marine Realty Trust, LLC		
Street: 10 Harbor Street		
Municipality: Danvers	State: MA	Zip Code: 01923
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Christine M. Player		
Firm/Agency: Vine Associates, Inc.	Street: 190 Old Derby Street. Suite 311	
Municipality: Hingham	State: MA	Zip Code: 02043
Phone: 781-749-2530 x202	Fax: 781-749-2751	E-mail: cplayer@vineassociates.net

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. 4634) No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301CMR 11.09) Yes No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): None

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) No

List Local or Federal Permits and Approvals: local Order of Conditions; USACE Programmatic General Permit

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i> Chapter 91 permit (for dredging)
Total site acreage	N/A			
New acres of land altered		0		
Acres of impervious area	N/A	N/A	N/A	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		23,893 LUO (21,235 Phase I 2,658 Phase II) 3,604 Coastal Beach (1,650 Phase I 1,954 Phase II)		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	N/A	N/A	N/A	
Number of housing units	N/A	N/A	N/A	
Maximum height (in feet)	N/A	N/A	N/A	
TRANSPORTATION				
Vehicle trips per day	N/A	N/A	N/A	
Parking spaces	N/A	N/A	N/A	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	N/A	N/A	N/A	
GPD water withdrawal	N/A	N/A	N/A	
GPD wastewater generation/ treatment	N/A	N/A	N/A	
Length of water/sewer mains (in miles)	N/A	N/A	N/A	

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify _____) No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (You may attach one additional page, if necessary.)

Victoria Marine Realty Trust, LLC is proposing a dredging project for an area within the Porter River adjacent to Victoria Marina. A total of approximately 2,850 cubic yards (CY) of material are proposed to be dredged over a total area of approximately 27,497 square feet (SF), including side slopes. The proposed project consists of primarily maintenance dredging, with a limited amount of improvement dredging. The project will be conducted in two (2) phases. Phase I will consist of the maintenance dredging portion of the project, and Phase II will consist of the improvement portion. The project will provide the required navigational improvements to restore and provide safe access to existing docks and allow for longer periods of operation at the existing travel lift.

The proposed Phase I dredging at Victoria Marina is intended to be performed as one of potentially five "piggyback" projects to the upcoming maintenance dredging of the Crane and Porter Rivers to be conducted by the Town of Danvers in 2007-2008 (EOEA File No. 10233). As such, sediments will be disposed at the Massachusetts Bay Disposal Site (MBDS). The proponents for each "piggyback" project will be seeking all local, state and federal permits on an individual basis for their respective facilities. The project is being phased because it is unlikely that the improvement portion of the project would receive the necessary sediment suitability determination and all permit approvals in time to "piggyback" with the Town project. Dredge disposal for Phase II include unconfined offshore disposal at MBDS, beneficial upland reuse, upland disposal or other appropriate methods. The most suitable disposal alternative for Phase II will be determined by future sediment analyses.

The Victoria Marina is situated on the south shore of the Porter River, adjacent to the Town Landing. The marina provides anchorage and marine services for approximately 21 recreational vessels. The marina has an existing travel lift which is utilized to provide marine services and to haul boats from the river for winter storage. Typical vessel sizes vary between 17 to 36 feet in length, with the average size being approximately 23 feet. The recreational boating season typically lasts about twenty-two weeks, from May to October.

Available permit records indicate that the marina has been authorized to maintain a 5-foot deep anchorage area at the

existing docks located at the main wharf. This 5-foot deep maintenance dredge footprint also extends into the travel lift area. Over time, areas at the docks and within the travel lift have shoaled in, thereby making access difficult and limited at various locations. Operations at the travel lift are currently tide dependent. The proposed dredging activity will restore the anchorage and travel lift areas to previously authorized depths and improve navigational safety and marine operations at Victoria Marina. The marina also provides a berthing area for vessels at the west side of the facility. Water depths at this location are fairly shallow due to shoaling over time. Dredging is required to provide safe access to this dock. Based upon available record information, it does not appear that dredging has been previously conducted at this location.

Phase I dredging will be conducted by mechanical methods, using a crane or excavator-mounted barge with a clamshell bucket. Once excavated, dredge sediments will be loaded directly into a scow and then transport to the MBDS for unconfined offshore disposal. The scow will be equipped with central door hatches, which will be opened when releasing the material. Dredging operations for Phase II will be determined once the most suitable disposal alternative has been determined.

For Victoria Marina to participate as a piggyback to the Town's project, Phase I dredge sediments will need to be determined suitable for unconfined offshore disposal at the Massachusetts Bay Disposal Site (MBDS) by the U.S. Army Corps of Engineers (USACE) and the U. S. Environmental Protection Agency (EPA). At this time, Victoria Marina is coordinating with the USACE to determine the applicability of the sediment evaluation conducted in 2005 for the Town's project to the proposed project, as well as to determine if additional testing will be required. In August 2006, the USACE and EPA determined that dredge sediments from the Town's project are suitable for unconfined offshore disposal at MBDS. Potential disposal options for Phase II dredge sediments include unconfined offshore disposal, beneficial upland reuse, upland disposal or other appropriate methods. The most appropriate disposal method for Phase II will be determined by future sediment analyses.

This is a water-dependent project that has been designed, and will be performed, using the best available measures to minimize adverse impacts to the resource areas defined under the Wetlands Protection Act. The majority of the project consists of routine maintenance dredging within previously authorized limits and depths and will be performed during Phase I. The only area of improvement dredging to be performed is within an area which contains existing floats on the west side of the marina and will be conducted during Phase II. Resource areas occurring within the project area include Land Under the Ocean, Coastal Beach, Land Containing Shellfish and Fish Run. There are portions around the perimeter of the project area that are bordered by Coastal Bank and Salt Marsh. These resource areas, however, are outside the project area. The proposed dredging will not affect any areas containing Salt Marsh or Coastal Bank.

The proposed dredging project at the Victoria Marina will impact approximately 23,893 SF of Land Under the Ocean in the Porter River. Of that total, approximately 21,235 SF consists of maintenance dredging, while approximately 2,658 SF consists of improvement dredging. The proposed areas of dredging that are LUO have a soft substrate comprised primarily of a mix of fine silt and sand. Data from the Massachusetts Department of Environmental Protection (DEP) Wetlands Conservancy Program (WCP) indicates no occurrences of eelgrass (*Zostera marina*) in this area. Most of the proposed total area has been previously dredged; as such, these areas likely contain opportunistic benthic species typical of other dredged areas. These areas should recolonize fairly rapidly with organisms and populations similar to currently existing ones after dredging is completed.

The proposed project will temporarily alter approximately 230 linear feet of a Fish Run. The project will be conducted during the fall and winter months, in order to avoid spawning of anadromous fish. Therefore, this project will not adversely affect the Fish Run. It is also anticipated that a total area of approximately 3,604 SF of Coastal Beach will be impacted under the proposed project. Of the total, approximately 1,650 SF consists of maintenance dredging and approximately 1,954 SF consists of improvement dredging. Because the proposed dredge area likely contains low densities of shellfish, has been previously dredged and has no known historical or current importance to recreational or commercial shellfishing, these areas according to 310 CMR 10.34 (3) (b), are not considered significant to Land Containing Shellfish. Communications with DMF in 1984 and recently indicated "limited" clam populations in this area. The proposed maintenance dredging project is discussed in greater detail in the Project Narrative (Attachment 3).